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Remarks

Claims 1-24 are pending in the application.

Claims 1-10 are rejected under 35 U.S.C. §102(e) as being anticipated by Ofek (US Patent No. 6,735,199, hereinafter "Ofek '199").

Claims 11-23 are rejected under 35 U.S.C. §102(e) as being anticipated by Ofek et al. (US Patent No. 6,973,090, hereinafter "Ofek '090").

Claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ofek'090 in view of Ofek '199.

Each of the various rejections and objections are overcome by amendments that are made to the specification, drawing, and/or claims, as well as, or in the alternative, by various arguments that are presented.

Any amendments to any claim for reasons other than as expressly recited herein for the purpose of distinguishing such claim from known prior art are not made with an intent to change in any way the literal scope of such claims or the range of equivalents for such claims. They are being made simply to present language that is better in conformance with the form requirements of Title 35 of the United States Code or is simply clearer and easier to understand than the originally presented language. Any amendments to any claim expressly made in order to distinguish such claim from known prior art are made only with an intent to change the literal scope of such claim in the most minimal way, i.e., simply to avoid the prior art in a way that leaves the claim novel and not obvious in view of the cited prior art, and no equivalent of any subject matter remaining in the claim is intended to be surrendered.

Also, because a dependent claim inherently includes the recitations of the claim or chain of claims from which it depends, it is submitted that the scope and content of any dependent claims that have been herein rewritten in independent form is exactly the same as the scope and content of those claims prior to having been rewritten in independent form. That is, although by convention such rewritten claims are labeled herein as having been "amended," it is submitted that only the format, and not the content, of these claims has been changed. This is true whether a dependent claim has been rewritten to expressly

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include the limitations of those claims on which it formerly depended or whether an independent claim has been rewritten to include the limitations of claims that previously depended from it. Thus, by such rewriting no equivalent of any subject matter of the original dependent claim is intended to be surrendered. If the Examiner is of a different view, he is respectfully requested to so indicate.

Amendments

Applicants have amended the specification, paragraphs [0031], [0033], and [0036], to correct inadvertent errors to now references "network manager 235." Applicants have amended the specification, paragraph [0032], to correct inadvertent errors to now references "counter 370." These amendments to the specification are believed to be proper and warranted and introduce no new matter.

Applicants also have amended independent claim 1 to clarify that generating a trigger is a separate limitation and not an inherent part of generating a global timing schedule. Such amendment is fully supported by the specification, for example paragraph [0028].

Rejection Under 35 U.S.C. §102

Claims 1-10

Claims 1-10 are rejected under 35 U.S.C. §102(e) as being anticipated by Ofek Ofek '199. The rejection is traversed.

Anticipation requires the disclosure in a single prior art reference of each and every element of the claimed invention arranged as in the claim. The Ofek '199 reference fails to disclose each and every element of the claimed invention, as arranged in independent claim 1.

The Ofek '199 reference discloses a time frame switching method and system that utilizes a global common time reference signal. Specifically, the portion of the reference cited in the Office Action explains that predefined time frames within a repeating time cycle are associated with a common time reference signal. There is no teaching of a trigger, generating at least one trigger, or transmitting and receiving data in response to

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such a trigger. The time cycles repeat, the pre-assigned frames repeat, and switches assigned to frames operate in a mode consistent with such repetition.

The Office Action equates the Applicants' global timing schedule with the Ofek '199's common reference time (see page 2). However, the Office Action also states that the step of "in response to at least one trigger, transmitting and receiving data according to the global timing schedule" is anticipated by Ofek '199 because "the data is transferred in and out (receiving and transmitting) in response to the common time reference according to a predefined time schedule" (see pages 2-3). This is incorrect.

Applicants' claimed "global timing schedule" and "trigger" are two distinct elements. For example, in one of the embodiments of the Applicants' invention, the global timing schedule is generated at regulated intervals and is a dynamic parameter whose total time duration and interval time may be adjusted according to the latency desired in a specific network (see paragraph [0031]). Only after the global timing has been generated, counters synchronized to a specific count, and the counters counted to a predetermined count is at least one trigger generated (see paragraph [0032]). Therefore, a trigger or generating the trigger simply is not inherent to generating the global timing schedule. Accordingly, the Ofek '199's common reference time cannot anticipate both the claimed trigger and the claimed global timing schedule. Therefore, the Ofek '199 reference fails to disclose each and every element of the claimed invention, as arranged in Applicants' independent claim 1. Accordingly, independent claim 1 is not anticipated by Ofek '199 and is patentable under 35 U.S.C. §102.

Because all of the dependent claims depending from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Ofek '199.

Therefore, Applicants' claims 1-10 are allowable over Ofek '199 under 35 U.S.C. §102. The Examiner is respectfully requested to withdraw the rejection.

Claims 11-23

Claims 11-23 are rejected under 35 U.S.C. §102(e) as being anticipated by Ofek '090. The rejection is traversed.

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The Ofek '090 reference fails to disclose each and every element of the claimed invention, as arranged in independent claim 11. Particularly, the Ofek '090 reference fails to teach or suggest at least "a transmit trigger generator for receiving the signal from said counter and in response, generating a transmit trigger signal." The Office Action interprets that Ofek '090's transmission delineation controller 6011 teaches Applicants' transmit trigger generator and Ofek '090's data unit counter 6023 teaches Applicants' counting device. Applicants disagree with such an interpretation.

As disclosed by Ofek '090, responsive to common time reference the transmission delineation controller generates delimiter signals indicating to the serial transmitter 6012 to insert control information in the data flow. (See col. 20, lines 51-53; col. 22 lines 1-4). However, there is no teaching that the transmission delineation controller receives signals from data unit counter 6023. Therefore, the transmission delineation controller is entirely different from the Applicants' claimed transmit trigger generator, which does receive signals from the counter.

Further, as evidenced by Fig. 1, the transmit delineation controller is a part of output port 1100 and the data unit counter is a part of input port 900. Data moves from the output port to the input port via communication channel 920, which is represented by an arrow aimed towards the input port from the output port. Accordingly, the Ofek '090 reference teaches that signals or data could be transported from the transmission delineation controller to the data unit controller, but cannot be transported from the data unit controller to the transmission delineation controller. This is entirely different from the Applicants' claimed invention where the transmit trigger generator receives the signal from the counting device. Therefore, the Ofek '090 reference fails to teach or suggest at least the following element of Applicants' claim 11: "a transmit trigger generator for receiving the signal from said counter and in response, generating a transmit trigger signal."

Furthermore, the Ofek '090 reference fails to teach or suggest at least

"a transmit memory manager for receiving the transmit trigger signal from said transmit trigger generator, and in response, directing at least portion of said data stored in said memory device to a transmission device for transmission of said data."

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The Office Action interprets that Ofek '090's transmitter 6012 teaches Applicants' transmit memory manager and Ofek '090's alignment subsystem 6600 teaches Applicants' transmit memory device. Applicants disagree with such an interpretation.

As disclosed by Ofek '090, the transmitter is responsible for sending the control information and the data units over the communication channel between the output port and input port (see col. 20, lines 40-43). The alignment subsystem is used to store the data units received from the communication channel (see col. 20, lines 47-48). However, there is no teaching that the transmitter directs at least a portion of the data units stored in the alignment subsystem to a transmission device. In contrast, Ofek '090 teaches that the alignment subsystem itself sorts the data units, while delineation controller 6021, not the transmitter, generates select-in signals 1410 enabling the alignment subsystem 6600 to determine which data units should be stored together (see col. 20, lines 49-50; col. 23, line 64 – col. 24, line 4). Accordingly, the Ofek '090 reference fails to teach or suggest at least the "a transmit memory manager for receiving the transmit trigger signal from said transmit trigger generator, and in response, directing at least portion of said data stored in said memory device to a transmission device for transmission of said data."

Because the Ofek '090 reference fails to teach or suggest at least the previously discussed elements of independent claim 11, it fails to disclose each and every element of the claimed invention, as arranged in Applicants' independent claim 11. Accordingly, independent claim 11 is not anticipated by Ofek '090 and is patentable under 35 U.S.C. §102. Claim 19 recites relevant limitations similar to those recited in independent claim 11 and, as such, and at least for the same reasons as discussed above, these independent claims also are not anticipated by Ofek '090 and are patentable under 35 U.S.C. §102.

Because all of the dependent claims depending from the independent claims include all the limitations of the respective independent claim from which they ultimately depend, each such dependent claim is also allowable over Ofek '090.

Therefore, Applicants' claims 11-23 are allowable over Ofek '090 under 35 U.S.C. §102. The Examiner is respectfully requested to withdraw the rejection.

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Rejection Under 35 U.S.C. §103(a)

Claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ofek '090 in view of Ofek '199. The rejection is traversed.

This ground of rejection applies only to a dependent claim, and is predicated on the validity of the rejection under 35 U.S.C. §102 given Ofek '090. Because the rejection under 35 U.S.C. §102 given Ofek '090 has been overcome, as described hereinabove, and there is no argument put forth by the Office Action that Ofek '199 supplies that which is missing from Ofek '090 to render the independent claims anticipated, these grounds of rejection cannot be maintained.

Therefore, Applicants' claim 24 is allowable over Ofek '090 in view of Ofek '199. The Examiner is respectfully requested to withdraw the rejection.

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Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

If, however, the Examiner still believes that there are unresolved issues, the Examiner is invited to call Eamon Wall at (732) 530-9404 so that arrangements may be made to discuss and resolve any such issues.

Respectfully submitted,

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